



Building Newsflash

Amendment to Part 22 (Child Care Centres) of the Queensland Development Code

Background

On 1 November 2004, amendments to Part 22 (Child Care Centres) of the *Queensland Development Code* (QDC) commenced. Part 22 was amended to allow developers the flexibility of proposing an alternative solution to outdoor play areas. This amendment will enhance the flexibility that was intended in the implementation of the *Child Care Act 2002*.

Legislation

Schedule 13 of the *Standard Building Regulation 1993* lists those parts of the QDC that must be assessed by a building certifier when a development application for building work is submitted for approval. Schedule 13 has been amended and now refers to the 1 November 2004 edition of Part 22.

If the application is to be assessed against the acceptable solutions of Part 22, the building certifier can decide those aspects. If the work needs to be assessed against the performance criteria of Part 22, details of the application must be referred to the chief executive under the *Child Care Act 2002*, as a concurrence agency. The building certifier cannot decide the application until the concurrence agency has provided advice on the suitability of the proposal.

Interpretation

Performance requirement P5 of Part 22 of the QDC has been amended to provide the concurrence agency with the flexibility to enable it to consider submissions for alternative solutions, which could allow “outdoor play areas” to be fully or partially enclosed or located within the building. For example, it may not be appropriate to have an outdoor play area if noise levels are constantly excessive and present an unacceptable risk to young children. The definitions of ‘Outdoor play facilities’ and ‘Outdoor play area’ have also been amended to assist with the interpretation of P5.

Further Information

Copies of Part 22 of the QDC can be downloaded from the Local Government and Planning website at: www.lgp.qld.gov.au/QDC.

For further information on the application of Part 22 of the QDC, contact the Child Care Information Service on 1800 637 711 or 07 3224 4558 for referral to your nearest regional office.